

A regularly scheduled meeting of the Board of Trustees was held on Monday, October 17, 2022, in the Village Hall. Mayor Westcott opened the meeting at 7:01 p.m. Also present were Deputy Mayor Conley, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, Fire Chief Czaja, Clerk-Treasurer VanBuren, and Tom Seaman, attorney. Trustee Blumrick was absent.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to enter into Executive Session for the purpose of conducting interviews for the part-time code enforcement officer/building inspector position. Carried, with all present voting aye.

Executive Session opened at 7:01 pm.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to return to General Session. Carried, with all present voting aye.

General Session reconvened at 7:17 pm.

There were a few residents in attendance, as well.

Mayor Westcott opened the Public Hearing at 7:18 p.m. regarding the condition of the premises at 28 Vernon Street to determine if they are a public nuisance.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve the minutes of the September 26, 2022, meeting. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to approve payment of claims submitted on Abstract 5-22/23 in the amount of: General - \$102,740.10; Water - \$23,587.23; Sewer - \$10,891.87; and Capital Improvement - \$8,310.00 for a Total of \$145,529.20. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve payrolls no. 9 and 10 for periods ending September 24, 2022, and October 8, 2022. Carried, with all present voting aye.

The Treasurer's report and the General Fund Cash Flow Forecast was submitted and accepted for September 2022.

The Public Works report was submitted and accepted for September 2022. Coordinator Bobbitt informed the Board that the DPW will not be able to pave any roads this year due to the fact that the Town of Royalton and Town of Hartland are not available to help.

The Village and Town Police reports were submitted and accepted for September 2022 with Chief Swick reading the highlights.

The fire report was submitted and accepted for September 2022 with Fire Chief Czaja reading the total number of calls they have responded to during the month of September along with the year-to-date totals for the Village, Town of Hartland, Town of Royalton, and Out of District.

The paper will be notified that the overnight parking ban will be enforced effective Sunday, November 6, 2022, through Sunday, April 2, 2023.

A motion was made by Trustee McAvoy, and seconded by Trustee Barr, to authorize Mayor Westcott to enter into a Sewer Agreement with Brent Industries LLC for the Village of Middleport to provide sewer service to the new location Brent Industries is constructing on Rochester Road in Middleport. Carried, with all present voting aye.

Correspondence

The American Legion's Veteran's Day gathering will be held on Friday, November 11, 2022, at 11 a.m. in the Village Commons at the corner of Main Street and Park Ave.

The Board and department heads all received NYMIR's Risk Management Bulletin regarding First Amendment Audits.

Clerk VanBuren submitted her NYCOM Fall Training report which was held in Saratoga Springs in September.

The NYS Public Service Commission sent out a notice that an additional area code has been authorized in the 716-area code. The new area code is expected to be activated before the second quarter of 2024. With the Commission's decision, all existing 716 area wireline and wireless telephone customers in the overlay area will retain their current 716 area code and telephone numbers.

Old Business

Niagara County Water District has approved a rate hike effective January 1, 2023, pending approval by the Niagara County Legislature. The Board will review the Village's water rates to determine what increase will be necessary to offset this additional expense to the Village.

Chief Swick updated the Board on the results of the mini bid for a new police vehicle that was approved at the September meeting.

Clerk VanBuren updated the Board on the status of the LED lighting for the Village Hall and WWTP. Dennis Gruarin from Willdan anticipates the installation within three to four weeks.

Discussed the LIHWAP (NYS Low Income Household Water Assistance Program).

Discussed the ad hoc committee that was formed a year ago meet to review the Employee Handbook. They will meet the following Monday or Tuesday.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to authorize Mayor Westcott to sign the Vendor Agreement with NYS LIHWAP and the NYS Office of the State Comptroller Substitute Form W-9 so that the Village of Middleport can be a vendor for the residents of the Village that qualify to participate in this program. Carried, with all present voting aye.

Mayor Westcott closed the Public Hearing at 7:49 p.m.

A motion was made by Trustee McAvoy, and seconded by Trustee Barr, to declare the conditions at 28 Vernon Street to be a public nuisance and to empower the Village to enter the property and to authorize Niagara Removal Services to clean up 28 Vernon Street as described in Estimate No. 2429 dated August 24, 2022. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to rehire Brian Belson as the Code Enforcement Officer/Building Inspector effective immediately.

Ayes: Deputy Mayor Conley **Nays:** Trustee Barr **Absent:** Trustee Blumrick
Trustee McAvoy

Motion Carried

New Business

Tronconi Segarra & Associates submitted the Village of Middleport's AUD on September 30, 2022.

Notice from Tobacco Free Erie and Niagara was read regarding the NYS Public Health Law prohibiting the smoking of tobacco and cannabis in "any public park" that went into effect on October 13, 2022. The term "park" is defined to include "public parks, beaches, pools, boardwalks, marinas, playgrounds, recreation centers, and group camps." The new law also authorizes local municipalities to impose a \$50 penalty for violations.

Email was read from the Beautification Committee about their tentative plans for the Village Tree Lighting.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, November 21, 2022, at 7 pm.

There being no other business, a motion was made by Trustee Barr, and seconded by Trustee McAvoy, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Lisa M. VanBuren
Clerk-Treasurer